

- (a) a melt flow ratio, $I_{10}/I_2 \geq 5.63$,
- (b) a molecular weight distribution, M_w/M_n , as determined by gel permeation chromatography and defined by the equation:
 $(M_w/M_n) \leq (I_{10}/I_2) - 4.63$, and
- (c) a gas extrusion rheology such that the critical shear rate at onset of surface melt fracture for the substantially linear ethylene polymer is at least 50 percent greater than the critical shear rate at the onset of surface melt fracture for a linear ethylene polymer, wherein the linear ethylene polymer has a homogeneously branched short chain branching distribution and no long chain branching, and wherein the substantially linear ethylene polymer and the linear ethylene polymer are simultaneously ethylene homopolymers or interpolymers of ethylene and at least one C_3 - C_{20} α -olefin and have the same I_2 and M_w/M_n and wherein the respective critical shear rates of the substantially linear ethylene polymer and the linear ethylene polymer are measured at the same melt temperature using a gas extrusion rheometer.

12. (Amended) The carpet of Claim 1 [or the method of Claim 7] wherein the at least one homogeneously branched ethylene polymer is homogeneously branched linear ethylene polymer.

REMARKS

Applicants cancel and withdraw Claims 7, 8, 13 and 14 as being directed to a non-elected invention(s). Applicants elected to amend Claims 10-12 in response to the Examiner's rejection under 35 USC § 112, second paragraph. Applicants believe the amendment to claims do not add any new matter and respectfully request entry of the amendments and reconsideration of the claimed invention in view of the amendment and the remarks that follow.

As amended, the Invention satisfies 35 USC § 112

The PTO rejects Claims 10-12 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention. In particular, the Applicants are charged with presenting claims drawn to more than one class of statutory subject matter.

In response to this rejection, Applicants elected to amend Claims 10-12 such that they depend exclusively to the carpet of Claim 1. Applicants believe these amendments obviate the rejection and accordingly the rejection should be withdrawn.

The Invention is not anticipated because the 131 Declaration antedates the reference relied upon by the PTO

The PTO rejects the claimed invention under 35 USC § 102(e) as being anticipated by US Patent 5,741,594 issued to Jialanella.